

1 THOMAS E. FRANKOVICH (State Bar No. 074414)
 JENNIFER L. STENEGER (State Bar No. 202985)
 2 THOMAS E. FRANKOVICH,
A Professional Law Corporation
 3 2806 Van Ness Avenue
 San Francisco, CA 94109
 4 Telephone: 415/674-8600
 Facsimile: 415/674-9900

5 Attorneys for Plaintiffs MARSHALL LOSKOT
 6 and DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION SERVICES

7 UNITED STATES DISTRICT COURT
 8
 9 NORTHERN DISTRICT OF CALIFORNIA

10 MARSHALL LOSKOT and DISABILITY)
 RIGHTS, ENFORCEMENT EDUCATION)
 SERVICES,)

11 Plaintiffs,)

12 v.)

13 SAN FRANCISCO CENTRAL)
 TRAVELODGE; DAVID R. SCHILLER)
 14 and THELMA J. SCHILLER, as trustees of)
 the DAVID R. SCHILLER and THELMA J.)
 15 SCHILLER LIVING TRUST; GEORGE S.)
 RITZAU, as trustee of the RITZAU 1990)
 16 FAMILY TRUST; CAROLE M. PHILLIPS,)
 an individual; JOAN L. VAN DE SANDE,)
 17 as trustee of the JOAN L. VAN DE SANDE)
 TRUST; KURT S. VAN DE SANDE, an)
 18 individual; BRET W. VAN DE SANDE, an)
 individual; MARGENE A. LORTON, an)
 19 individual; DANIEL MCMILLAN, an)
 individual; PAUL V. LORTON, an)
 20 individual; WW LODGING LIMITED,)
 LLC., a Delaware limited liability company;)
 21 KENNETH G. ROSE, as trustee of the)
 KENNETH G. ROSE TRUST; MARS)
 22 PROPERTIES, INC., a California)
 corporation; FOUR ROSES, INC., a)
 23 California corporation; BOREL BANK &)
 TRUST COMPANY, as Successor trustee of)
 24 the FRANCES G. ROSE TRUST; and)
 RTRN INVESTMENT, LLC, a limited)
 25 liability company,)

26 Defendants.)
 27 _____)
 28

CASE NO. C04-4485 VRW

STIPULATION OF DISMISSAL AND
~~PROPOSED~~ ORDER THEREON

1 The parties, by and through their respective counsel, stipulate to dismissal of this action
 2 in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the
 3 Mutual Settlement Agreement and Release ("Agreement"), each party is to bear its own costs and
 4 attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over
 5 enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994)
 6 (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

7 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
 8 their designated counsel that the above-captioned action be and hereby is dismissed with
 9 prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1).

10 This stipulation may be executed in counterparts, all of which together shall constitute
 11 one original document.

12 DATED: February 22, 2006

THOMAS E. FRANKOVICH
 A PROFESSIONAL LAW CORPORATION

14 By: /s/ Jennifer L. Steneberg
 15 Jennifer L. Steneberg
 16 Attorneys for MARSHALL LOSKOT and
 17 DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION SERVICES:HELPING YOU HELP
 OTHERS

18 DATED: February 16, 2006

CORFEE STONE & ASSOCIATES

20 By: /s/ Catherine M. Corfee
 21 Catherine M. Corfee
 22 Attorneys for Defendants WW LODGING
 23 LIMITED, LLC; DAVID R. SCHILLER AND
 24 THELMA J. SCHILLER, trustees of the DAVID R.
 25 SCHILLER AND THELMA J. SCHILLER
 26 LIVING TRUST; KENNETH G. ROSE, trustee of
 27 the KENNETH G. ROSE TRUST; BOREL BANK
 28 as trustee for FRANCES G. ROSE; GEORGE S.
 RITZAU, trustee of the RITAZU 1990 FAMILY
 TRUST; FOUR ROSES, INC.; MARS
 PROPERTIES, INC.; JOAN LOUISE VAN DE
 SANDE, trustee of the JOAN L. VAN DE SANDE
 TRUST; BRETT WILLIAM VAN DE SANDE;
 CAROLE M. PHILLIPS; KURT STEVEN VAN
 DE SANDE; MARGENE A. LORTON; PAUL V.
 LORTON; DANIEL MCMILLAN; DENISE LONG

1 DATED: February 15, 2006

HUNTER AND BOVARNICK

2
3 By: /s/ Steven H. Bovarnick
4 Steven H. Bovarnick
Attorneys for Defendant RTRN INVESTMENT,
LLC

5
6 **ORDER**

7 IT IS HEREBY ORDERED that matter is dismissed with prejudice pursuant to
8 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for
9 the purpose of enforcing the parties' Mutual Settlement Agreement and Release should such
10 enforcement be necessary.

11 Dated: February 24, 2006

